IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4622 OF 2007

Deepali Kashinath Gaikwad & Anr. ...Petitioners
V/s.
State of Maharashtra & Ors. ...Respondents

Shri R.K. Mendadkar for the Petitioners.
Shri C.R. Sonawane, AGP for Respondent Nos.1 to 3.

CORAM : D.K. DESHMUKH &
V.M. KANADE, JJ.

DATED : DECEMBER 19, 2007

P.C. :-

. By consent of parties, the petition is disposed of in the following terms :-

1) The matter is remitted back to the Caste Scrutiny Committee for making a fresh order by considering the report of the Vigilance Cell that the tribal, traits and characteristics disclosed by the petitioner match with that of the Scheduled Tribe Mahadeo Koli. The Tribunal shall consider this aspect of the matter and shall make a fresh order in accordance with law after giving an opportunity of hearing to the petitioner.

2) It is made clear that so far as, documentary evidence is concerned, the Tribunal has found that that is not relevant and no fresh inquiry into that aspect of the matter is necessary.

3) The Tribunal shall inquire into the matter afresh and make a fresh order within a period of eight weeks from the date on which the petitioner appears before the Committee.

. Rule is made absolute accordingly. No order as to costs.

(D.K. DESHMUKH, J.)

(V.M. KANADE, J.)